

Debtors' Ex. 103

Laws of Puerto Rico Annotated Currentness

Title 12. Conservation

Subtitle 8. Environment II

Chapter 505. Puerto Rico Proper Scrap Tire Management Act

12 L.P.R.A. § 8105

§ 8105 Proper Scrap Tire Management Fund

(a) A fund to be known as the Proper Scrap Tire Management Fund is hereby created in the Bank under the responsibility, jurisdiction, and administration of the Board. It shall be nourished primarily from the revenues of the Board on account of the Scrap Tire Management and Disposal Fee adopted in § 8093a of this title and which shall be charged to tire importers and manufacturers. The resources of the Fund shall be allocated through the regulations.

(b) The payment of the fees set forth by the Board shall be authorized from the import or manufacture of tires in light of the revenues in the Commonwealth of Puerto Rico.

(c) No payment shall be processed for invoices submitted to the Board more than one hundred and sixty (160) days after the receipt or delivery of the material, as applicable.

(d) Funds appropriated to the Board, the Authority, and the Treasury in accordance with the regulations adopted hereunder shall be used solely for the administration of the powers and functions delegated under this chapter.

(e) The total amount of the fund to be allocated shall never exceed one hundred percent (100%) of the revenues.

(f) Emergencies related to tires that pose a risk to the human health, the environment, and the property may be addressed by using the Fund to hire skilled personnel, purchase or lease equipment, materials, services, and to defray other expenses related to the emergency. Emergencies of this nature shall be declared by the Board.

Any expenses incurred by the Board in addressing emergencies related to tires may be recovered through an administrative order issued by the Board or through a civil action filed with a General Court of Justice of the Commonwealth of Puerto Rico or the United States of America against any person responsible for the emergency. Once recovered, the Board shall reimburse such monies to the Fund created under this chapter.

(g) It is hereby provided that, for Fiscal Year 2014-2015, the sum of five million dollars (\$5,000,000) shall be transferred from this Fund to the Legal Liability Fund.

(h) Provided, further, that for Fiscal Year 2015-2016, the sum of nine million dollars (\$9,000,000) in account number 0140000-226-081-2012 of the accounting system of the Department of the Treasury, as well as the sum of eight hundred thousand dollars (\$800,000) in account number 0240000-226-081-1998 of the accounting system of the Department of the Treasury, shall be transferred to the 2015-2016 Municipal Support Fund. Likewise, the sum of one hundred fifty thousand dollars (\$150,000) accounted for in account number 0250000-226-781-2012 of the accounting system of the Department of the Treasury shall be transferred to the Special Education Students Service and Therapy Fund.

Credits

-July 22, 2009, No. 41, § 16, eff. Oct. 30, 2011; July 12, 2011, No. 135, § 16; July 1, 2014, No. 78, § 8; July 2, 2015, No. 105, § 7; Mar. 4, 2016, No. 16, § 2.

Amendments -2016.

Subsection (b): Act Mar. 4, 2016, No. 16 made minor redaction changes.

Subsection (c): Act Mar. 4, 2016, No. 16 substituted 'ninety (90) days' with 'one hundred sixty (160) days'.

Subsection (f): Act Mar. 4, 2016, No. 16 amended the first sentence of the first paragraph generally.

Act Mar. 4, 2016, No. 16 deleted former subsections (g) and (h), redesignating the remaining subsections. **-2015.**

Subsection (j): Act 2015 added this subsection. **-2014.**

Act 2014 added subsection (i). **-2011.**

Act 2011 deleted previous subsections (a)(1) a (a)(3) y (c); added subsection (h); redesignating previous subsections (d), (e), (f), (g) and (h) as (c), (d), (e), (f), and (g) respectively; and amended this section generally.

Statement of motives.

July 12, 2011, No. 135.

July 1, 2014, No. 78.

July 2, 2015, No. 105.

Mar. 4, 2016, No. 16.

Separability.

Section 29 of Act July 2, 2015, No. 105, provides: 'If any clause, paragraph, subparagraph, article, provision, section or part of this Act which amended this section were held to be unconstitutional by a court with jurisdiction, said holding shall not affect, impair or invalidate the remaining provisions of this Act. The effect of said holding shall be limited to the clause, paragraph, subparagraph, article, provision, section or part thereof thus held to be unconstitutional.'

Section 23 of Act July 1, 2014, No. 78, provides: 'If any clause, paragraph, subparagraph, article, provision, section or part of this Act were held to be unconstitutional by a court with jurisdiction, said holding shall not affect, impair or invalidate the remaining provisions of this Act. The effect of said holding shall be limited to the clause, paragraph, subparagraph, article, provision, section or part thereof thus held to be unconstitutional.'

Special provisions.

Section 3 of Act Mar. 4, 2016, No. 16, provides: 'Any existing balance in the special account denominated 'Emergency Scrap Tire Management Fund,' as of the effective date of this Act, shall be transferred to the 'Proper Scrap Tire Management Fund.'

12 L.P.R.A. § 8105, PR ST T. 12 § 8105

Current through all acts translated by the Translation Office of the Puerto Rico Government through the 2011 Legislative Session and various acts from 2012 to the present. Appendices III (Rules of Civil Procedure) and IV (Rules of Evidence) of Title 32 have been replaced by Appendices V (Rules of Civil Procedure) and VI (Rules of Evidence) of Title 32 by Order of the Supreme

Court dated Sept. 4, 2009, but the official translations are not yet available. Also, the official translations of Appendices XII through XXII of Title 3, which encompass various reorganization plans of the Puerto Rico Government and promulgated in 2010 through 2012, have not yet been received. For all missing translations, please consult the Spanish version.

End of Document

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